



House of Representatives

General Assembly

File No. 205

February Session, 2014

Substitute House Bill No. 5370

House of Representatives, March 31, 2014

The Committee on Program Review and Investigations reported through REP. MUSHINSKY of the 85th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE
CONCERNING CERTAIN FISCAL AND RESOURCE-RELATED
MATTERS PERTAINING TO STATE PARKS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 23-10b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2014*):

3 The Commissioner of Energy and Environmental Protection may
4 provide outdoor recreation-related services to the public at state park
5 and forest recreation areas. Such services may include rentals of
6 bicycles, boats, cabins and tents, sale of firewood and operation of
7 camp stores supplying camping necessities. Fees for such services
8 shall be set by the commissioner, according to market value. Revenue
9 from such services shall be deposited in the Conservation Fund and
10 credited to an enterprise program account for use in the state park and
11 forest facilities, except the commissioner shall allocate a portion of

12 such revenue from the rental of any cabin for deposit in the
13 maintenance, repair and improvement subaccount for the state park, as
14 established pursuant to section 23-15b, as amended by this act, in
15 which such cabin is located. Such services and fees shall not affect
16 admission, parking, camping and related existing fees. No services
17 shall compete with a concessionaire under contract with the
18 Department of Energy and Environmental Protection at the time such
19 service is offered.

20 Sec. 2. Section 23-15b of the general statutes is repealed and the
21 following is substituted in lieu thereof (*Effective July 1, 2014*):

22 (a) There is established a separate, nonlapsing account within the
23 General Fund, known as the maintenance, repair and improvement
24 account. All funds collected from rent paid by any person for the use
25 of state park property for any special event of limited duration,
26 including, but not limited to, weddings and receptions, shall be
27 deposited into the account unless the Commissioner of Energy and
28 Environmental Protection enters into a written agreement, signs an
29 instrument or issues a license which specifically states otherwise. Said
30 account may also receive funds from private or public sources,
31 including the federal government or a municipal government.

32 (b) Fifty per cent of all revenues from the operation of each state
33 park, except revenues from rents that are otherwise fully deposited in
34 the maintenance, repair and improvement account in accordance with
35 subsection (a) of this section, shall be deposited into the maintenance,
36 repair and improvement account.

37 ~~[(b)]~~ (c) Notwithstanding any provision of the general statutes, any
38 funds received by the Department of Energy and Environmental
39 Protection pursuant to ~~[subsection]~~ subsections (a) and (b) of this
40 section shall be deposited in the General Fund and credited to the
41 maintenance, repair and improvement account. Within said account
42 there shall be a subaccount for each state park from which funds are
43 collected pursuant to subsection (a) of this section and for each state
44 park in which any cabin is located, which subaccounts shall be held

45 separate and apart from each other. The commissioner shall deposit
46 into the applicable subaccount any revenue from the rental of cabins
47 that the commissioner allocates pursuant to section 23-10b, as
48 amended by this act. Each subaccount shall be available to the
49 Commissioner of Energy and Environmental Protection for
50 maintaining, making improvements to, erecting structures on or
51 repairing the property, including houses and other buildings, of the
52 state park for which such subaccount was established, provided any
53 revenues in such subaccounts from the rental of cabins shall be used
54 for the purpose of maintaining any cabin that is located in the park for
55 which such subaccount was established. Any funds deposited in the
56 maintenance, repair and improvement account pursuant to subsection
57 (b) of this section shall be available to the commissioner for expenses
58 associated with the operation of all state parks. Nothing in this section
59 shall prevent the commissioner from obtaining or using funds from
60 sources other than the maintenance, repair and improvement account
61 for the purposes described in this subsection. Funds in the
62 maintenance, repair and improvement account shall be used to
63 supplement state funds appropriated for the general operation of state
64 parks and shall not replace such appropriated funds for purposes of
65 such general operation.

66 [(c)] (d) On or before October 1, 2010, and semiannually thereafter,
67 the Commissioner of Energy and Environmental Protection shall
68 report to the Office of Fiscal Analysis on the state parks for which
69 funds have been collected pursuant to [subsection] subsections (a) and
70 (b) of this section. Such report shall include (1) the amount of funds
71 received into the maintenance, repair and improvement account,
72 itemized by subaccount for funds received pursuant to subsection (a)
73 of this section and by revenue type and location for funds received
74 pursuant to subsection (b) of this section, (2) the amount of funds the
75 Department of Energy and Environmental Protection has expended
76 from the account for each park, and (3) the projects for which such
77 funds have been expended. Said commissioner shall post the same
78 information on the department's Internet web site.

79 Sec. 3. (NEW) (*Effective from passage*) Not later than December 31,
80 2014, and annually thereafter, the Bureau of Outdoor Recreation,
81 within the Department of Energy and Environmental Protection, shall
82 develop a results-based accountability report card in accordance with
83 guidelines established by the joint standing committee of the General
84 Assembly having cognizance of matters relating to appropriations and
85 the budgets of state agencies. Such report card shall identify any
86 challenges or areas for improvement regarding the state parks and
87 include measures regarding: (1) Park use, including, but not limited to,
88 attendance, safety and patron satisfaction, and (2) park operations,
89 including, but not limited to, planning, facilities and personnel. Any
90 such report card shall be submitted to the joint standing committees of
91 the General Assembly having cognizance of matters relating to the
92 environment and appropriations and the budgets of state agencies. The
93 Department of Energy and Environmental Protection shall post any
94 such report card on the department's Internet web site.

95 Sec. 4. (NEW) (*Effective July 1, 2014*) Not later than February 1, 2020,
96 the Bureau of Outdoor Recreation within the Department of Energy
97 and Environmental Protection shall conduct a review of each state
98 park. Such review shall include, but not be limited to: (1) An
99 assessment of the condition of such park, (2) an inventory of the
100 facilities located in such park, (3) an assessment of the potential
101 revenue generation and historic significance of such facilities, and (4)
102 an examination of the staffing needs for such park. Not later than five
103 years following the completion of a review for a state park, and every
104 five years thereafter, said bureau shall update such review for such
105 park.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	23-10b
Sec. 2	<i>July 1, 2014</i>	23-15b
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>July 1, 2014</i>	New section

Statement of Purpose:

In section 1, the reference to section 23-15b was rephrased for clarity.

PRI *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Resources of the General Fund	GF - Revenue Loss	Approximately 3 million	Approximately 3 million
Department of Energy and Environmental Protection	Revenue Gain; Maintenance, Repair and Improvement Account	Approximately 3 million	Approximately 3 million

Municipal Impact: None

Explanation

The bill requires the Department of Energy and Environmental Protection (DEEP) to deposit 50% of all state park revenue into the General Fund's "maintenance, repair, and improvement account" (MRI account) and allows these funds to be used for operation expenses at all state parks. This revenue diversion results in a loss of approximately \$3.0 million to the resources of the General Fund and a revenue gain in the same amount to the DEEP MRI account in both FY 15 and FY 16.¹

Also, the bill requires DEEP to allocate and deposit an unspecified portion of the revenue from renting state park cabins to the MRI subaccount for the park where the cabin is located.² This results in a revenue loss to the General Fund, and a revenue gain to the MRI subaccounts.

¹ Total FY 13 revenue for all state park revenue is \$5,994,562.

² Total FY 13 revenue generated from rental of state park cabins is \$77,850. MRI subaccounts are non-lapsing accounts of the General Fund.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to actual revenue received from (1) all state park parking and camping, and (2) the rental of cabins.

OLR Bill Analysis**sHB 5370*****AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING CERTAIN FISCAL AND RESOURCE-RELATED MATTERS PERTAINING TO STATE PARKS.*****SUMMARY:**

This bill generally requires the Department of Energy and Environmental Protection (DEEP) to deposit 50% of all state park operation revenue into the General Fund's "maintenance, repair, and improvement account" (MRI account).

It requires these funds to be used for operation expenses at all state parks. As under existing law, all funds collected from renting state park property for special events, such as weddings, are deposited into the MRI subaccounts for the specific parks where the rentals occur, unless an agreement states otherwise.

The bill requires DEEP's commissioner to allocate and deposit an unspecified part of the revenue from renting a state park cabin to the MRI subaccount for the park where the cabin is located. It requires this revenue to be used only for maintaining cabins in the same park.

The bill also establishes several state park-related reporting requirements. It requires:

1. the commissioner to include park operation revenue information in his semiannual report to the Office of Fiscal Analysis (OFA) on funds deposited into the MRI account;
2. DEEP's Bureau of Outdoor Recreation to develop a results-based accountability (RBA) report card on state parks; and

3. the bureau to (a) review each state park by February 1, 2020 and (b) update each review every five years.

EFFECTIVE DATE: July 1, 2014, except for the RBA report card provision, which is effective upon passage.

CABIN RENTAL REVENUE

Under the bill, 50% of revenue from state park operations, other than from special event rentals, must be deposited into the MRI account. This includes cabin rental revenue. The bill also requires an unspecified portion of cabin rental revenue to be deposited into the MRI subaccounts for the state parks where the cabins are located. It is unclear whether this portion is in addition to, or included in, the 50% that must be transferred to the MRI account.

REPORT TO OFA

The bill requires the DEEP commissioner to include in his semiannual state park funding reports to OFA the amounts the MRI account receives from park operation revenue.

Under current law, he reports only on the parks that obtain funds from renting property for special events. The reports include the (1) funds, itemized by park subaccount; (2) amount DEEP used for each park; and (3) projects paid for by the funds. The bill retains these reporting requirements, but requires the commissioner to include information on park operation revenue, by type and location.

As required under existing law for the special event rental revenue information, the operation revenue information must be posted on DEEP's website.

RBA REPORT CARD

Under the bill, DEEP's Bureau of Outdoor Recreation must annually develop an RBA report card on state parks and complete the first one by December 31, 2014.

The report card must be (1) developed according to guidelines

established by the Appropriations Committee, (2) submitted to the Environment and Appropriations committees, and (3) posted on DEEP's website. It must (1) identify challenges or areas for improvement and (2) include measures on park use and operations. The measures on park use must include attendance, safety, and visitor satisfaction. The park operations measures must include planning, facilities, and personnel.

STATE PARK REVIEWS

The bill requires the Bureau of Outdoor Recreation to review each state park and update the reviews every five years. A review must:

1. assess the park's condition,
2. examine the park's staffing needs,
3. inventory the park's facilities, and
4. assess the facilities' historic significance and potential for generating revenue.

COMMITTEE ACTION

Program Review and Investigations Committee

Joint Favorable Substitute

Yea 11 Nay 0 (03/13/2014)